

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1724 OF 2006

Chandrabhaga Gopal Duggal & Ors... Petitioners.

Versus

State of Maharashtra & Ors.... Respondents.

Mr. A. D. Avhad for the Petitioners.

Mr. R.D. Rane, GP for Respondent Nos.1 to 5.

**CORAM : V.G. PALSHIKAR, and
V.R.KINGAONKAR, JJ.**

DATED : 3RD APRIL, 2006.

P.C.:

The Petitioner are aggrieved by their non-appointment as Anganwadi Sevika. The Government of Maharashtra issued a G.R. dated 9th February, 2005 pursuant to closure of earlier scheme and a new scheme having been started. The Government G.R. requires that for the post of Anganwadi Sevika under the Ekatmak Child Welfare Service Scheme, the Mini Anganwadi Sevikas/Balwadi Teachers are not fulfilling the eligibility required for these posts, they will be given direct appointment as Assistants.

2. In the instant case, the Petitioners have not been appointed as Assistants, as the Petitioners did not possess the minimum requirement of having passed VIII standard. We, therefore, do not find that the action of the Respondents is arbitrary or contrary to the G.R. dated 9th February, 2005. Our attention was invited to para 4 of the G.R. which contemplates that if a vacancy arises, the Assistant working in that Anganwadi and having qualification, should be appointed as Anganwadi Sevika. If the Petitioner in the meantime attains necessary qualification and if vacancy thereafter arises, the Petitioners will have to be considered in terms of para 4 of the G. R. dated 9th February, 2005.

3. With the above observations, the petition stands disposed of.
